

The increase was included in both the Sarbanes bill here in the Senate and in the House-passed H.R. 3764. But now we are learning that the White House doesn't want to fund the full authorization and is ready to propose nearly a third less than that. That is outrageous and I think the public should pay attention to this issue. Unless the authorization is funded it is meaningless. Meaningless, Mr. President, a hollow position crafted for an age of thirty second sound bites. The public should not allow this to go on.

Congress should fund the priorities we have authorized. That is why I oppose the long-term continuing resolution.

CYPRUS' MEMBERSHIP TO THE EUROPEAN UNION

Ms. SNOWE. Mr. President, the Senate has recently passed by unanimous consent a resolution, S. Con. Res. 122, that I, along with Senators BIDEN and SARBANES introduced expressing support for Cyprus' membership in the European Union, EU. This is a timely and significant statement of support for the Senate to make on the cusp of Cyprus' membership and I would like to thank Senators BIDEN and SARBANES for their efforts toward achieving the passage of S. Con. Res. 122.

Just this past month, Cyprus moved yet another step closer to its goal of EU membership. At the end of October, the 15 European nations met in Brussels and endorsed the recommendations of the European Commission that Cyprus and nine other countries become EU members in 2004. It was agreed that Cyprus had fulfilled the political criteria for accession and will be able to meet the economic criteria and assume the obligations of membership. It is expected that an official invitation for membership will be expanded this December, with accession in 2004.

The EU countries did reaffirm the call for continuing efforts by President Clerides and Turkish-Cypriots to work toward a solution to the Cyprus problem by the end of the year. However, as was stated at the Helsinki Summit in 1999, such a solution is not a precondition for Cyprus' membership.

After 27 years Cyprus remains a divided nation. However, as an EU member, the entire island of Cyprus will see economic benefits. All Cypriots will have access to new markets, a freer exchange of goods and services, balanced and sustainable development as well as the free movement of persons, goods and services, and capital.

But EU membership is not only about economic prosperity it is also about human rights. The EU guarantees citizens of its members human, legal and civil rights as well as the means and legal recourse necessary to secure the full application of these fundamental individual rights.

Moreover, Cyprus' EU membership will be, and has been, a catalyst for the solution to the Cyprus problem as the mere prospect of membership has already yielded progress. That Cypriot President Clerides and Turkish-Cypriot leader Denktash have been meeting

since January in direct talks to seek a resolution of the division of Cyprus is seen as evidence of the positive leverage exacted by expected EU accession.

As a result of these continuous meetings, other international efforts have occurred such as the recent submission by the U.N. Secretary General of a comprehensive proposal for the solution of the Cyprus problem. If it were not for Turkey's desire to also be an EU member knowing that other EU members could block this goal it is questionable whether these talks would even be taking place. That, along with improved economic prosperity and guaranteed human rights, is why it was vital that the Senate go on record as supporting Cyprus' EU membership.

INDIAN TRUST FUNDS MANAGEMENT

Mr. MCCAIN. Mr. President, I would like to make a brief statement for the RECORD regarding an issue of significant importance to me, and that is the fiduciary and trust responsibility of the United States toward Native Americans for management of trust assets and trust funds.

Earlier this year, I introduced S. 2212, the Indian Trust Asset and Trust Fund Management and Reform Act of 2002. This legislation would have amended the 1994 American Indian Trust Fund Management Reform Act to initiate further reform of the administration and management of the assets and funds held by the United States in trust for federally recognized Indian tribes and individual Indians. I was pleased to be joined in this effort by my distinguished colleagues, the two Senators from South Dakota, Mr. DASCHLE and Mr. JOHNSON, and I appreciate the time and effort they have expended as we have tried to move the bill toward enactment.

I also thank the chairman of the Committee on Indian Affairs, Senator INOUE, for holding a hearing on S. 2212 in July. As a result of the testimony received in the hearing and the comments from many of the Indian tribes that would be affected by this legislation, we developed an amendment in the nature of a substitute which significantly improved the original bill. Many tribal leaders shared comments and offered recommendations to us in the process and were grateful for their efforts.

By sponsoring this legislation, Senators DASCHLE, JOHNSON, and I intended to express congressional support and provide direction for reform of the Federal Government's management of Indian trust funds and assets, which has for some time been subject to intense criticism and scrutiny by the Federal courts. High-level Government officials have been held in civil contempt twice by the U.S. District Court here in Washington, DC, for their abject breach of fiduciary duties as well as the continuing failure to comply with statutory mandates and court orders.

S. 2212 focused on two primary changes to the 1994 American Indian Trust Fund Management Reform Act, the underlying law governing Indian trust funds management. First, it would have created a single line of authority in the Interior Department by establishing a Deputy Secretary for Trust Management and Reform; and second, the bill would have strengthened provisions for Indian tribes and beneficiaries to directly manage or co-manage with the Interior Secretary trust funds and assets, based on successful self-determination policies.

Based on comments received from tribes, we amended S. 2212 to affirm the fiduciary standards to be applied to the management of Indian trust funds and assets, as well as to abolish the Office of Special Trustee and establish the Office of Trust Reform under the new Deputy Secretary. The Advisory Committee to the Special Trustee would have been replaced with a task force composed of representatives of the tribes and the Department who would work with the new Deputy Secretary to develop recommendations for further necessary changes to the laws governing the management of trust assets and trust funds.

The changes represented in S. 2212 were modest, but important. It could have formed the basis for a stronger partnership between the tribal beneficiaries and the Interior Department, instituting congressional requirements for development of consensus policies governing trust standards and additional management reforms. Such a partnership would have set the Department and the tribes on a course toward resolution of the problems that have plagued the management of the trust funds and assets for more than a century.

Unfortunately, we are at the end of the 107th Congress and no further action will be taken on S. 2212. A sufficient consensus could not be reached among the tribes as well as between the tribes and the Department of the Interior to allow us to move forward to enact the bill. By failing to enact legislation like S. 2212 this year, the Congress is not fulfilling its responsibility to the Indian tribes and individuals who have suffered from decades of Federal mismanagement.

For most of this year, tribal representatives have been working on a range of possible reforms through a special task force established by Secretary Norton after the tribes resoundingly rejected her administrative reform proposal during 2001. Despite the efforts of the tribes, the discussions with the Interior Department culminated in an impasse and an end to the Department's participation in the task force.

The Department's latest action is unfortunate, but it is certainly not the first time the tribes and the Department have been unable to agree. It should not pose an insurmountable hurdle for the Congress to act. In fact,